

REMARKS

Claims 61-80 are pending in this application. Based on the following Remarks, the application is deemed to be in condition for allowance and action to that end is respectfully requested.

I. THE 35 U.S.C. §102 REJECTIONS:

The Examiner asserts that Claims 61-80 are rejected under 35 U.S.C. §102(e) as being unpatentable over Kolls, U.S. Patent No. 6,604,085 (Kolls). Applicant respectfully traverses the Examiner's rejection of Claims 61-80. Applicant respectfully submits that the present invention, as defined by Claims 61-80, is patentable over Kolls and is patentable over the prior art.

IA. THE PRESENT INVENTION, AS DEFINED BY CLAIMS 61-80, IS PATENTABLE OVER THE PRIOR ART:

Applicant respectfully submits that the present invention, as defined by Claims 61-80, is patentable over the prior art. Applicant respectfully submits that the present invention, as defined by independent Claim 61, is patentable over the prior art.

Applicant respectfully submits that the present invention, as defined by independent Claim 61, is patentable over Kolls. Applicant respectfully submits that Kolls does not disclose or suggest many of the specifically recited features of independent Claim 61 and, therefore, Kolls does not disclose or suggest all of the features of independent Claim 61.

Applicant respectfully submits that Kolls does not disclose or suggest a computer-implemented method, comprising storing information for effectuating an affiliated marketing relationship, all of which features are specifically recited features of independent Claim 61.

Applicant respectfully submits that Kolls does not disclose or suggest an affiliated marketing relationship. On page 3, lines 2-3 of the Office Action, mailed March 9, 2006, the Examiner states that: ". . . Kolls discloses an Internet based data storage in relation to advertisements". To the extent that the Examiner appears to be relying on the above-statement to support his assertion that Kolls discloses or suggests the claim limitation "storing information for effectuating an affiliated marketing relationship", Applicant

respectfully disagrees with the Examiner. Applicant respectfully submits that Kolls does not disclose or suggest an affiliated marketing relationship. Applicant further respectfully submits that Kolls does not disclose or suggest storing information for effectuating an affiliated marketing relationship.

Applicant respectfully submits that Kolls does not disclose or suggest a computer-implemented method, comprising storing the recited information for effectuating the recited affiliated marketing relationship. As noted above, Applicant submits that Kolls does not disclose or suggest an affiliated marketing relationship.

Applicant further submits that Kolls does not disclose or suggest a computer-implement method, comprising detecting an occurrence of at least one of a request for advertising space, a change in an offered price for an advertising space, a change in a term or a condition for an advertising offering, an advertisement debut, and an introduction of an advertisement or an advertising campaign, all of which features are still other specifically recited features of independent Claim 61.

Applicant respectfully submits that Kolls does not disclose or suggest the recited computer-implemented method, comprising detecting the recited occurrence of at least one of a request for advertising space, a change in an offered price for an advertising space, a change in a term or a condition for an advertising offering, an advertisement debut, and an introduction of an advertisement or an advertising campaign.

Applicant further submits that Kolls does not disclose or suggest generating a message with a processing device, wherein the message contains information for effectuating an affiliated marketing relationship and information regarding the at least one of a request for advertising space, a change in an offered price for an advertising space, a change in a term or a condition for an advertising offering, an advertisement debut, and an introduction of an advertisement or an advertising campaign, and transmitting the message to a communication device or a computer associated with a content provider or a user, all of which features are still other specifically recited features of independent Claim 61.

Applicant respectfully submits that Kolls does not disclose or suggest generating the recited message with the

recited processing device, wherein the recited message contains the recited information for effectuating the recited affiliated marketing relationship and the recited information regarding the at least one of a request for advertising space, a change in an offered price for an advertising space, a change in a term or a condition for an advertising offering, an advertisement debut, and an introduction of an advertisement or an advertising campaign. As noted above, Applicant submits that Kolls does not disclose or suggest an affiliated marketing relationship. Applicant further submits that Kolls does not disclose or suggest transmitting the recited message to the recited communication device or the recited computer associated with a content provider or a user.

In view of the foregoing, Applicant respectfully submits that Kolls does not disclose or suggest many of the specifically recited features of independent Claim 61 and, therefore, Kolls does not disclose or suggest all of the features of independent Claim 61.

In view of the foregoing, Applicant respectfully submits that the present invention, as defined by independent Claim 61, is patentable over Kolls. In view of the foregoing, Applicant respectfully submits that the present invention, as

defined by independent Claim 61, is patentable over the prior art. Allowance of independent Claim 61 is, therefore, respectfully requested.

Applicant further submits that Claims 62-80, which Claims 62-80 depend either directly or indirectly from independent Claim 61, so as to include all of the limitations of independent Claim 61, are also patentable over the prior art as said claims 62-80 depend from allowable subject matter.

Regarding Claim 62, Applicant respectfully submits that Kolls does not disclose or suggest the computer-implemented method of Claim 61, wherein the message is transmitted to the communication device or the computer in real-time.

Regarding Claim 63, Applicant respectfully submits that Kolls does not disclose or suggest the computer-implemented method of Claim 61, further comprising processing information to establish the affiliated marketing relationship.

Regarding Claim 64, Applicant respectfully submits

that Kolls does not disclose or suggest the computer-implemented method of Claim 61, further comprising storing information regarding at least one of an advertisement space, an advertisement rate, a commission, a referral fee, and a term or condition of an advertisement offering, receiving a query regarding an available at least one of an advertisement space, an advertisement rate, a commission, a referral fee, and a term or condition of an advertisement offering, wherein the query is transmitted from a second communication device or second computer associated with a merchant, processing the query and generating a second message in response to the query, wherein the second message includes information regarding at least one of an advertisement space, an advertisement rate, a commission, a referral fee, and a term or condition of an advertisement offering, and transmitting the second message to the second communication device or second computer associated with the merchant.

Regarding Claim 65, Applicant respectfully submits that Kolls does not disclose or suggest the computer-implemented method of Claim 61, further comprising processing information regarding a purchase of an advertisement space or an advertisement service and an establishing of the affiliated marketing relationship.

Regarding Claim 66, Applicant respectfully submits that Kolls does not disclose or suggest the computer-implemented method of Claim 61, further comprising processing information regarding a bid for an advertisement space or an advertisement service.

Regarding Claim 67, Applicant respectfully submits that Kolls does not disclose or suggest the computer-implemented method of Claim 61, further comprising storing information regarding at least one of an advertisement space, an advertisement rate, a commission, a referral fee, and a term or condition of an advertisement offering, receiving a query regarding an available at least one of an advertisement space, an advertisement rate, a commission, a referral fee, a term or condition of an advertisement offering, and an affiliated marketing relationship, wherein the query is transmitted from a second communication device or second computer associated with a merchant, processing the query and generating a second message in response to the query, wherein the second message includes information regarding at least one of an advertisement space, an advertisement rate, a commission, a referral fee, a term or condition of an advertisement offering, and transmitting the second message to

the second communication device or second computer associated with the merchant.

Regarding Claim 68, Applicant respectfully submits that Kolls does not disclose or suggest the computer-implemented method of Claim 61, further comprising processing information regarding an auctioning of an advertisement space or an advertisement service.

Regarding Claim 69, Applicant respectfully submits that Kolls does not disclose or suggest the computer-implemented method of Claim 61, further comprising determining a commission or a referral fee due under an affiliated marketing relationship.

Regarding Claim 70, Applicant respectfully submits that Kolls does not disclose or suggest the computer-implemented method of Claim 61, wherein the message includes information regarding at least one of a past success rate of an advertisement and a success rate of the content provider.

Regarding Claim 71, Applicant respectfully submits that Kolls does not disclose or suggest the computer-implemented method of Claim 64, wherein the second message

includes information regarding at least one of a past success rate of an advertisement and a success rate of the content provider.

Regarding Claim 72, Applicant respectfully submits that Kolls does not disclose or suggest the computer-implemented method of Claim 61, further comprising processing information regarding a web site or link visited, utilized, or navigated, by an individual or the user in connecting to a communication device or computer associated with a merchant.

Regarding Claim 73, Applicant respectfully submits that Kolls does not disclose or suggest the computer-implemented method of Claim 61, further comprising administering a financial account for a merchant or the content provider.

Regarding Claim 74, Applicant respectfully submits that Kolls does not disclose or suggest the computer-implemented method of Claim 61, further comprising at least one of processing a financial transaction for a merchant or the content provider, effectuating a payment from a merchant to the content provider, and receiving a payment on behalf of the content provider.

Regarding Claim 75, Applicant respectfully submits that Kolls does not disclose or suggest the computer-implemented method of Claim 61, wherein the message is transmitted on or over the Internet or the World Wide Web.

Regarding Claim 76, Applicant respectfully submits that Kolls does not disclose or suggest the computer-implemented method of Claim 64, wherein the second message is transmitted on or over the Internet or the World Wide Web.

Regarding Claim 77, Applicant respectfully submits that Kolls does not disclose or suggest the computer-implemented method of Claim 61, further comprising processing information regarding a transaction pursuant to the affiliated marketing relationship, generating a transaction notification report containing information regarding the transaction and a commission or a referral fee due to the content provider, and transmitting the transaction notification report to the communication device or computer associated with the content provider or the user.

Regarding Claim 78, Applicant respectfully submits that Kolls does not disclose or suggest the computer-implemented method of Claim 77, wherein the transaction

notification report includes at least one of a payment identifier, a credit card number, a charge card number, a debit card number, financial account identification information, and wire transfer information, for effecting payment of the commission or a referral fee to the content provider.

Regarding Claim 79, Applicant respectfully submits that Kolls does not disclose or suggest the computer-implemented method of Claim 61, further comprising establishing the affiliated marketing relationship between the content provider and a merchant, identifying the content provider involved in a transaction pursuant to the affiliated marketing relationship, and providing notification to the content provider of the transaction.

Regarding Claim 80, Applicant respectfully submits that Kolls does not disclose or suggest the computer-implemented method of Claim 79, further comprising determining a commission or referral fee due to the content provider, and effecting a payment of the commission or referral fee to the content provider.


In view of the foregoing, Applicant respectfully submits that dependent Claims 62-80 are patentable over Kolls. In view of the foregoing, Applicant respectfully submits that dependent Claims 62-80 are patentable over the prior art.

Allowance of Claims 61-80 is, therefore, respectfully requested.

II. CONCLUSION:

In view of the foregoing, the application is deemed to be in condition for allowance and action to that end is respectfully requested. Allowance of pending Claims 61-80 is respectfully requested.

Respectfully Submitted,


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